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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,406	10/23/2006	Marc C. Michel	30872/41404	1691

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EXAMINER	
BRAINARD, TIMOTHY A	
ART UNIT	PAPER NUMBER
3662	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/549,406	MICHEL, MARC C.	
	Examiner	Art Unit	
	TIMOTHY A. BRAINARD	3662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 July 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-6,8,10-13 and 15-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-6,8,10-13 and 15-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 September 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> a. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3-6, 10-12, 16-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jordan** et al (US 6249241) in view of **Andrusiak** et al (US 5923285**)** and **Greendale** (US 5978736). **Jordan** teaches a radar system comprising: (claim 1)a head containing a radar transmitter and a radar receiver and configured to be closely associated with a radar antenna; and a signal processing unit included for processing a received radar signals and for combining the received radar with data from at least one other source and configured to simultaneously process the received radar signal and output radar data (fig 1, item 3 and col 5, lines 15-36 and lines 57-60), (claim 3) outputting raw radar signals (col 17, lines 60-67), (claim 5) the signal processing unit is controllable by digital input signals, (claim 6) the signal processing unit receives control signals for the radar receiver and the radar transmitter (col 6 lines 1-20), (claim 19) the one other source is combined with the radar data by multiplexing (col 5, lines 15-36). **Jordan** does not teach a head containing a radar transmitter and receiver, simultaneously outputs radar signals for differing radar ranges, all signals processing is carried out digitally, the radar transmitter is controllable by digital signal processing unit, the output data feeds are to a standard specification, the radar system in combination

with a digital display unit which facilitates selection of one or more of the output data feeds from those provided by the radar system, a radar system m in combination with a digital display unit wherein the digital display unit has inputs allowing remote control of the radar transmitter the receiver or the signal processing unit, and a signal processing unit and outputting the radar data in at least two different digital formats.

3. **Andrusiak** teaches **(claim 1)** outputting the radar data in at least two different digital formats **(col 6, lines 32-59)**, **(claim 4)** the signals processing unit simultaneously outputs radar signals for differing radar ranges **(col 2, lines 56-67)**, **(claim 10)** all signals processing is carried out digitally **(col 3, lines 23-65)**, **(claim 11)** the radar transmitter is controllable by digital signal processing unit **(col 3, lines 23-54)**, **(claim 12)** the output data feeds are to a standard specification **(col 3, lines 23-54)**, **(claim 16)** the radar system in combination with a digital display unit which facilitates selection of one or more of the output data feeds from those provided by the radar system **(col 2, lines 56-67)**, **(claim 17)** a radar system m in combination with a digital display unit wherein the digital display unit has inputs allowing remote control of the radar transmitter the receiver or the signal processing unit **(col 6, lines 33-59)**.

4. It would have been obvious to modify **Jordan** to include outputting the radar data in at least two different digital formats the signals processing unit, simultaneously outputs radar signals for differing radar ranges, all signals processing is carried out digitally, the radar transmitter is controllable by digital signal processing unit, the output data feeds are to a standard specification, the radar system in combination with a digital display unit which facilitates selection of one or more of the output data feeds from

those provided by the radar system, a radar system m in combination with a digital display unit wherein the digital display unit has inputs allowing remote control of the radar transmitter the receiver or the signal processing unit because each is one of multiple design choices with no new or unexpected results.

5. **Greendale** teaches a head containing a radar transmitter and receiver and a signal processing unit (col 3, lines 35-37). It would have been obvious to modify **Jordan** a head containing a radar transmitter and receiver and a signal processing unit because it is one of multiple design choices with no new or unexpected results.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Jordan** in view of **Andrusiak** and **Greendale** as applied to claim 1 above, and further in view of Henri et al (US 4774516). Henri teaches **(claim 8)** a north heading signal **(col 2, lines 29-40)** and combining a signal combined with a received radar signal to allow synchrony with other data feeds **(col 3, lines 23-54).** It would have been obvious to modify **Jordan** in view of **Andrusiak** and **Greendale** to include a north heading signal is combined with the received radar signal signals to allow synchrony with other data feeds because it is one of multiple design choices with no new or unexpected results.

7. Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jordan** in view of **Andrusiak** and **Greendale** as applied to claim 1 above, and further in view of Reese et al (US 2002/0141732). Reese teaches **(claim 13)** the output data feeds are encoded in Ethernet protocol **(para 16), (claim 15)** the output data feeds are distributed wirelessly **(para 16)**. It would have been obvious to modify **Jordan** in view of **Andrusiak** and **Greendale** to include the output data feeds are encoded in

Ethernet protocol, the output data feeds are distributed wirelessly because it is one of multiple design choices with no new or unexpected results.

8. Claims 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jordan** in view of **Andrusiak** and **Greendale** as applied to claim 1 above, and further in view of Lazzeroni et al (US 20030026440). Lazzeroni teaches one of the other sources is a gps signal (para 57). It would have been obvious to modify **Jordan** in view of **Andrusiak** and **Greendale** to include one of the other sources being a gps signal because it is one of multiple design choices with no new or unexpected results.

9. Claims 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jordan** in view of **Andrusiak** and **Greendale** as applied to claim 1 above, and further in view of Didomizio (US 5559517). Didomizio teaches two digital formats comprises any two or more of a decluttered signal, a moving target signal, a range ring signal, and a map signal (col 11, lines 24-62). It would have been obvious to modify **Jordan** in view of **Andrusiak** and **Greendale** to include two digital formats comprises any two or more of a decluttered signal, a moving target signal, a range ring signal, and a map signal because it is one of multiple design choices with no new or unexpected results.

Response to Arguments

10. Applicant's arguments, see Remarks, filed 7/24/2009, with respect to the rejection(s) of claim(s) 1 under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of **Jordan** et al (US 6249241) in view of **Andrusiak** et al (US 5923285**)** and **Greendale**.

11. Applicant's arguments filed 7/24/2009 with respect to Jordan not teach combining the received signal with data from at least one other source have been fully considered but they are not persuasive.

12. Applicant argues Jordan does not teach combining the received signal with data from at least one other source.

13. Response: the abstract of Jordan states that "The VTS collects harbor traffic information from multiple remote sensor collection sites around the harbor and integrates, records, merges and presents the remote site data onto a single operator display" implying that it combines the received signal with data from at least one other source.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY A. BRAINARD whose telephone number is (571)272-2132. The examiner can normally be reached on Monday - Friday 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Timothy A Brainard/
Examiner, Art Unit 3662